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Claims 1-14 and 17-22 are present in the application. Claim 1 has been amended and claims 17-22 are newly added.

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with applicant's attorney Ashley Pezzner on October 1, 2009.

The application has been amended as follows: cancel claim 8-14.

The following is an examiner's statement of reasons for allowance: Claims 1-7 and 17-20 are allowable since none of the prior art teach or suggest forming refractory part, wherein the part is a sputtering target, tube preform or furnace part preform by repeatedly depositing refractory metal selected from Ta, W, Re, Mo, W, Mo, Nb or their alloys on a substrate and melting the substrate and metal particles by a laser.

Newly added claim 21 is similar to claim 1, but differs in that it does not define the specific refractory metal particles as in claim 1. However it does define the substrate as being a tantalum substrate (step (b)) and further defines that the result of the process is "forming a tantalum sputtering target". Therefore it implicitly implies using Ta particle. None of the prior art teaches or suggest using Ta substrate together with Ta metal.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NGOCLAN T. MAI whose telephone number is (571)272-1246. The examiner can normally be reached on 8:30-5:00 PM Monday-Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Roy King can be reached on (571) 272-1244. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Roy King/
Supervisory Patent Examiner, Art Unit
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n.m.